

Resolution 401 (1976)

of 14 December 1976

The Security Council,

Noting from the report of the Secretary-General of 9 December 1976⁵¹ that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is essential not only to help maintain quiet in the island but also to facilitate the continued search for a peaceful settlement,

Noting from the report the conditions prevailing in the island,

Noting also from the report that the freedom of movement of the United Nations Peace-keeping Force in Cyprus and its civil police is still restricted in the north of the island and that further progress is being made in discussions regarding the stationing, deployment and functioning of the Force, and expressing the hope that ways will be found to surmount the remaining obstacles,

Noting further that the Secretary-General has expressed the view that the best hope of achieving a just and lasting settlement of the Cyprus problem lies in negotiations between the representatives of the two communities and that the usefulness of those negotiations depends upon the willingness of all parties concerned to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side,

Expressing its concern at actions which increase tension between the two communities and tend to affect adversely the efforts towards a just and lasting peace in Cyprus,

Emphasizing the need for the parties concerned to adhere to the agreements reached at all previous rounds of the talks held under the auspices of the Secretary-General and expressing the hope that future talks will be meaningful and productive,

Noting also the concurrence of the parties concerned with the recommendation by the Secretary-General that the Security Council extend the stationing of the United

Nations Peace-keeping Force in Cyprus for a further period of six months,

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions in the island, it is necessary to keep the Force in Cyprus beyond 15 December 1976,

1. *Reaffirms* the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and other aspects of the situation in Cyprus;

2. *Reaffirms once again* its resolution 365 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions as well as of its resolution 367 (1975) of 12 March 1975;

3. *Urges* the parties concerned to act with the utmost restraint to refrain from any unilateral or other action likely to affect adversely the prospects of negotiations for a just and peaceful solution and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

4. *Extends* once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1977, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;

5. *Appeals again* to all parties concerned to extend their fullest co-operation so as to enable the United Nations Peace-keeping Force to perform its duties effectively;

6. *Requests* the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Security Council informed of the progress made and to submit a report on the implementation of this resolution by 30 April 1977.

Adopted at the 1979th meeting by 13 votes to none.⁵²

52 Two members (Benin and China) did not participate in the voting.

⁵¹ *Ibid.*, document S/12253.

D. COMPLAINT BY GREECE AGAINST TURKEY

Decision

At its 1949th meeting, on 12 August 1976, the Council decided to invite the representatives of Greece and Turkey to participate, without vote, in the discussion of the item entitled "Complaint by Greece against Turkey: letter dated 10 August 1976 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council (S/12167)".⁵³

⁵³ See *Official Records of the Security Council, Thirty-first Year, Supplement for July, August and September 1976*.

Resolution 395 (1976)

of 25 August 1976

The Security Council,

Taking note of the letter of the Permanent Representative of Greece dated 10 August 1976,⁵⁴

Having heard and noted the various points made in the statements by the Ministers for Foreign Affairs of Greece⁵⁵ and Turkey,⁵⁶

⁵⁴ *Ibid.*, document S/12167.

⁵⁵ *Ibid.*, Thirty-first Year, 1949th meeting.

⁵⁶ *Ibid.*, 1950th meeting.

Expressing its concern over the present tensions between Greece and Turkey in relation to the Aegean Sea,

Bearing in mind the principles of the Charter of the United Nations concerning the peaceful settlement of disputes, as well as the various provisions of Chapter VI of the Charter concerning procedures and methods for the peaceful settlement of disputes,

Noting the importance of the resumption and continuance of direct negotiations between Greece and Turkey to resolve their differences,

Conscious of the need for the parties both to respect each other's international rights and obligations and to avoid any incident which might lead to the aggravation of the situation and which, consequently, might compromise their efforts towards a peaceful solution,

1. *Appeals* to the Governments of Greece and Turkey to exercise the utmost restraint in the present situation;

2. *Urges* the Governments of Greece and Turkey to do everything in their power to reduce the present tensions in the area so that the negotiating process may be facilitated;

3. *Calls upon* the Governments of Greece and Turkey to resume direct negotiations over their differences and appeals to them to do everything within their power to ensure that these negotiations will result in mutually acceptable solutions;

4. *Invites* the Governments of Greece and Turkey in this respect to continue to take into account the contribution that appropriate judicial means, in particular the International Court of Justice, are qualified to make to the settlement of any remaining legal differences which they may identify in connexion with their present dispute.

Adopted at the 1953rd meeting by consensus.

E. THE SITUATION IN THE COMOROS

Decisions

At its 1886th meeting, on 4 February 1976, the Council decided to invite the representative of the Comoros to participate, without vote, in the discussion of the item entitled:

"The situation in the Comoros:

"(a) Telegram dated 28 January 1976 from the Head of State of the Comoros to the President of the Security Council (S/11953);⁵⁷

"(b) Letter dated 3 February 1976 from the Permanent Representative of Guinea-Bissau to the United Nations addressed to the President of the Security Council (S/11959)."⁵⁷

At the same meeting, the Council also decided to invite the representatives of Algeria, Equatorial Guinea, Guinea, Guinea-Bissau, Kenya, Madagascar and Somalia to participate, without vote, in the discussion of the question.

At its 1888th meeting, on 6 February 1976, the Council decided to invite the representatives of Nigeria and Saudi Arabia to participate, without vote, in the discussion of the question.

⁵⁷ *Ibid.*, Thirty-first Year, Supplement for January, February and March 1976.